



21 AUG 2003  
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Timothy R. Wyckoff  
HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 8910  
Reston, VA 20195

In re Application of  
MARC BONJEAN, ET AL.  
Application No.: 09/700,043  
PCT No.: PCT/EP00/01314  
Int. Filing Date: 18 February 2000  
Priority Date: 03 March 1999  
Attorney's Docket No.: 4077-0117P  
For: BISTABLE MAGNETIC DRIVE  
FOR A SWITCH

Dear Mr. Wyckoff:

This is in response to your communication received 10 July 2003 requesting the status of U.S. application 09/700,043. The application is abandoned. A response to the "NOTIFICATION OF DEFECTIVE RESPONSE" (Form PCT/DO/EO/916 mailed 18 May 2001) is not of record in the application file. Attached is a copy of the Notification for your convenience.

Leonard Smith  
PCT Legal Examiner  
PCT Legal Office

JSF/LS:jf

  
Jeremy Fleming  
Paralegal Specialist  
PCT Legal Office

Tel: (703) 308-6154  
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Attachment: copy of Forms PCT/DO/EO/916,  
PCT/DO/EO/917 and PCT/DO/EO/909.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
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Washington, D.C. 20231  
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U.S. APPLICATION NO.

09/700043

FIRST NAMED APPLICANT

BONJEAN

ATTY. DOCKET NO.

4077 0117P

INTERNATIONAL APPLICATION NO.

PCT/EP00/01314

I.A. FILING DATE

18 FEB 00

PRIORITY DATE

09 MAR 99

DATE MAILED:

18 MAY 2001

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040 0747**NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION**

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a),(b) and (f) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☒ does not identify the application to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☒ does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2. ☒ does not state that the person making the oath or declaration:
  - a. ☒ has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b. ☒ acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

4. ☒ pgs 1 & 2 are  
missing

Anita D. Johnson

Telephone: 703-305-3661



UNITED STATES

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U.S. APPLICATION NO.

09/700043

FIRST NAMED APPLICANT

BONJEAN

ATTY. DOCKET NO.

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4077 0117P

INTERNATIONAL APPLICATION NO.

PCT/EP00/01314

I.A. FILING DATE

18 FEB 00

PRIORITY DATE

09 MAR 99

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040 0747

DATE MAILED:

**18 MAY 2001****NOTIFICATION OF A DEFECTIVE RESPONSE**

1. ☐ The request for an extension of time (37 CFR 1.136(a)) filed \_\_\_\_\_ is defective because the required fee is missing/insufficient. Extension of time fees are listed at 37 CFR 1.17(a)(1)-(a)(5).
2. ☐ Applicant's response filed \_\_\_\_\_ was received in the Office after the expiration of the period for response set in the Office notification mailed \_\_\_\_\_. This application will become abandoned unless applicant obtains an extension of time to reply to the last Office notification under 37 CFR 1.136(a).
3. ☒ Applicant's response filed 12 JAN 2001 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS (Form PCT/DO/EO/905) mailed 30 NOV 2000 have not been completed.

- ☐ Translation of the international application into English.
  - ☐ which is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ Processing fee (37 CFR 1.492(f)).
- ☒ Oath or Declaration of inventor(s).
  - ☒ not in compliance with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ Surcharge (37 CFR 1.492(e)).
- ☐ Sequence Listing.
  - ☐ not in compliance with 37 CFR 1.821-1.825 for the reasons indicated on the attached PCT/DO/EO/920.
- ☐ Additional claim fees.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements (Form DO/EO/905), whichever is the longer. No extension of this time limit may be granted under 37 C.F.R. § 1.136, but the period for response set in the Notification of Missing Requirements (Form DO/EO/905) may be extended under 37 C.F.R. § 1.136(a).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PCT/DO/EO/920

*Anita D. Johnson*  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/700,043	Marc Bonjean	4077 0117P

INTERNATIONAL APPLICATION NO.
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PCT/EP00/01314

I.A. FILING DATE	PRIORITY DATE
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02/18/2000

2292

BIRCH STEWART KOLASCH & BIRCH  
 PO BOX 747  
 FALLS CHURCH, VA 22040-0747

CONFIRMATION NO. 9065

371

ABANDONMENT/TERMINATION  
 LETTER



\*OC000000008410705\*

Date Mailed: 07/08/2002

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated Office (37 CFR 1.494), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 11/30/2000 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.494, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

ANITA D JOHNSON

Telephone: (703) 305-3661

PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)